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AF #

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Isao HORIUCHI

Application No.: 09/831,767

Filed: May 14, 2001

For: COSMETICS

Confirmation No.: 9992

Customer Window, Mail Stop: AF
THE COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231



Art Unit: 1617

Examiner: L. Wells

Washington, D.C.

Atty.'s Docket: HORIUCHI=6

Date: November 4, 2003

RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1617

RECEIVED

NOV 07 2003

TECH CENTER 1600/2900

Sir:

Transmitted herewith is a [XX] REPLY TO FINAL ACTION: AMENDMENT AND REMARKS in the above-identified application.

[XX] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted

[] A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.

[] No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS
TOTAL	* 4	MINUS	** 20	0
INDEP.	* 1	MINUS	*** 3	0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

ADDITIONAL FEE TOTAL

SMALL ENTITY		
RATE		ADDITIONAL FEE
x 9		\$
x 42		\$
+ 140		\$
ADDITIONAL FEE TOTAL		\$

OTHER THAN SMALL ENTITY		
RATE		ADDITIONAL FEE
x 18		\$
x 84		\$
+ 280		\$
TOTAL		\$

OR

OR

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
- *** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[XX] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity
Response Filed Within
[] First - \$ 55.00
[] Second - \$ 205.00
[XX] Third - \$ 465.00
[] Fourth - \$ 725.00
Month After Time Period Set

Other Than Small Entity
Response Filed Within
[] First - \$ 110.00
[] Second - \$ 410.00
[] Third - \$ 930.00
[] Fourth - \$ 1450.00
Month After Time Period Set

[] Less fees (\$) already paid for month(s) extension of time on

[] Please charge my Deposit Account No. 02-4035 in the amount of \$

[XX] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$ 465.00.

[] A check in the amount of \$ is attached (check no.).

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

11/05/2003 RHARIS1 00000041 024035 09831767
01 FC:2253 10.00 DA 465.00 OP

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: HORIUCHI =6

In re Application of:)	Art Unit: 1617
)	
Isao HORIUCHI)	Examiner: L. Wells
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Appln. No.: 09/831,767)	Washington, D.C.
)	
Nationalized: May 14, 2001)	Confirmation No. 9992
)	
I.A. No. PCT/JP00/04223)	
I.A. Date: June 28, 2000)	
)	
For: COSMETICS)	November 4, 2003

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REPLY TO FINAL ACTION: AMENDMENT AND REMARKS

Mail Stop AF
Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Replying to the final Office Action mailed May 7, 2003, petition for three months' extension of time and late fee being attached hereto, please amend as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper.